THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No.5433 of 2006

ORDER:

It stated that the petitioner is the owner of the property bearing D.No.4-11-2, Jangala Koteswara Rao Street, Agraharam, Eluru and the said property is abutting to the property of the second respondent, who is the owner of the premises bearing No.4-12-16, Jangala Koteswara Rao Street, Agraharam, Eluru.

It is stated that the second respondent is constructing a building in his property premises No.4-12-16, Jangala Koteswara Rao Street, Agraharam, Eluru, without leaving any set backs on the rear and other two sides, as required under the Building Rules and Byelaws of the Corporation. Further, the said construction is contrary to the sanctioned plan and affecting air, light, privacy of the petitioner and causing congestion to the neighbours. It is stated that the petitioner has field a representation on 15-2-2006 before the first respondent.

I am not inclined to express any opinion at this stage as to whether the 2nd respondent is constructing the building contrary to the sanction plan. However, as the petitioner filed a representation dated 15-2-2006 before the first respondent, the first respondent is directed to dispose of the said representation, if any received and pending, in accordance with law after giving reasonable opportunity to the second respondent.

Accordingly, the Writ Petition is disposed of at the stage of admission.

21st March, 2006.

mrb